



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

## (1) First Account and Status Report of Administrator, and (2) to set Aside Exempt Personal Property

<b>DOD: 9/18/2007</b>		<b>LAURA DOZIER</b> , surviving spouse/Administrator, is petitioner.  Account period: 2/4/2008 – 9/30/2013  Accounting - <b>\$650,755.95</b> Beginning POH - <b>\$650,750.00</b> Ending POH - <b>\$333,000.00</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>There have been 4 continuances in this matter. As of 4/16/14 the following issues remain:</b>  1. Petition does not allege any fact as to why the personal property should be set aside for the surviving spouse.  2. Disbursement schedule does not include the nature and purpose of each disbursement as required by Probate Code §1062(b).  3. Petition states the Petitioner used the proceeds from the sale of a bulldozer to reimburse herself various administrative expenses. Need itemization.  4. Need order  <b>Note:</b> If the petition is granted the court will set a status hearing for the filing of the petition for final distribution on <b>Friday, September 26, 2014 at 9:00 a.m. in Dept. 303.</b>  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
<b>Cont. from 121113, 020314, 022414, 032414</b>			
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<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/	<b>Petitioner states</b> certain assets that were decedent's separate property constitute exempt personal property eligible to be set aside to the surviving spouse pursuant to Probate Code §6510. Petitioner requests the court set aside the following personal property with an aggregate value of \$10,250.00 <ul style="list-style-type: none"> <li>• 1997 Chevrolet pickup truck</li> <li>• 2005 Honda ATV R1V32</li> <li>• 2005 KTM Motorcycle</li> <li>• 1963 Willy Jeep</li> </ul> Petitioner states as surviving spouse, she is entitled to have the assets set over to her. Petitioner has already taken possession of the assets and requests that her actions be ratified and confirmed.  Petitioner states the estate is not yet in a position to close. An action was filed on a rejected creditor's claim. The estate defaulted. The estate now is reviewing the situation to see whether it is possible to file a motion to set aside the default. Petitioner believes it will take an additional 4-6 months to close the estate.	
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<b>Reviewed by: KT</b>
<b>Reviewed on: 4/16/14</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 2 – Dozier</b>

**Petitioner prays for an order:**

1. That the First Account and Report of Petitioner be settled, allowed and approved as filed;
2. That all actions of Petitioner as Administrator, as set forth in the petition, account and report be ratified, confirmed and approved;
3. That the exempt personal property described in the petition be set aside to the surviving spouse;
4. That the administration of the estate continue.

<b>Jesus Gonzalez Rodriguez, age 9</b>		<b>JESUS N. GONZALEZ</b> , Father, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 6-11-13, 7-30-13, 9-10-13, 10-8-13, 12-13-13, 3-3-14. See following pages.</b>  <b>Minute Order 10-8-13:</b> Ms. Ibarra is being assisted by an interpreter. Mr. Gonzalez informs the Court that he has an appointment with the counselor today. The Court indicates to the parties that it is not changing the visitation time and they are to mutually agree on a location for visitation to take place during the winter months. The Court orders that Jesus and his father participate in conjoint counseling with a licensed clinical therapist for the purpose of facilitating unsupervised visits. In the event that a licensed therapist is not available in Firebaugh, arrangements are to be made elsewhere with a licensed therapist. Ms. Aguilar is ordered to notify the therapist that the Court will be expecting a report as to how conjoint counseling is progressing. Continued to 12/3/13.  <b>Minute Order 12-13-13:</b> Counsel informs the Court that father and child are in the process of registering with County Mental Health for an evaluation. Counsel requests continuance. The Court orders that all orders remain in full force and effect. Matter continued to 3-3-14. The Court will entertain an order shortening time if necessary.
		<b>MARIA IBARRA</b> , Maternal Grandmother, was appointed Guardian on 6-26-08. - served by mail 5-27-13	
<b>Cont. from 061113, 073013, 091013, 100813, 121313, 030314</b>		Mother: Patricia Rodriguez (Deceased) Paternal Grandfather: Jose Gonzalez Paternal Grandmother: Josefina Gonzalez Maternal Grandfather: Lorenzo Rodriguez	
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		<p><b>Petitioner requests</b> to have custody of his son and to have his case reviewed. Petitioner sees no reason for his son to be with his grandmother when he is fully capable and willing to be fully responsible for his son. Petitioner doesn't feel the visitation that he is allowed is sufficient to fully bond with his son, especially now that he will be having a sibling. Petitioner believes it is in his son's best interest to be closer to his little brother and father than the 2 hours a week that is currently allowed (sometimes less because the grandmother arrives late).</p> <p>Petitioner believes his son needs a father figure and he and his wife are able to provide a stable house for his son. Petitioner states there is no need for his son to continue living with his grandmother when he has a loving father who wants to be a part of his life.</p> <p><b><u>SEE ADDITIONAL PAGES</u></b></p>	
		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 4-16-14 <b>Updates:</b> <b>Recommendation:</b> <b>File 3 – Rodriguez</b>	

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Court Investigator Jennifer Young filed a report on 7-26-13.

**Minute Order 7-30-13:** Also present in the courtroom is Jesus Rodriguez. Rosie Valdivinos is sworn and interprets for Maria Ibarra. Ms. Ibarra objects to the petition. Visitation between father and the minor is ordered as follows: visitation shall be every Sunday from 1:00 p.m. to 5:00 p.m. at a place mutually agreed upon by the parties. Father is ordered not to expose the minor to any horror movies or encourage any horse play with other children that may be uncomfortable for the minor. **The Court orders the court investigator to contact the Carmen Meza Center regarding the minor's therapy. Parties enter into a waiver of confidentiality for said purpose.** Continued to 9/10/13.

Court Investigator Jennifer Young filed a report on 9-3-13.

**Guardian Maria Ibarra filed a declaration on 9-6-13. Ms. Ibarra states** Jesus has always been in her custody since the death of his mother on 10-31-05. Jesus' mother was murdered with a kitchen knife. Her throat was cut open and Jesus was found on top of his mother's dead body covered in blood (at age 1½). The police turned him over to Ms. Ibarra that day. Shortly after the murder, Ms. Ibarra spoke with Mr. Gonzalez, who stated she could keep Jesus as long as he could use is SSN for his taxes. He did not participate in Jesus' life. When Jesus was two years old, Ms. Ibarra allowed overnight visits. During the visits, Jesus slept on pillows on the floor with the family dog. Mr. Gonzalez never returned him on time and she always had to pick him up. On one occasion, he wasn't even present, and Jesus was running around unsupervised with the grandfather getting drunk with his friends. A police report was made. In 2008, Jesus came home with a burn on his hand. Jesus told her that his aunt Karina was mad at him and grabbed his hand and burned it. A police report was made. Also, Jesus was always starving upon return from his visits.

**SEE ADDITIONAL PAGES**

Page 3

**Ms. Ibarra's Declaration (Cont'd):**

Of great concern to Ms. Ibarra is the fact that Mr. Gonzalez was inconsiderate of what happened to Jesus. He had him watch the movie "Chucky" where a doll is murdering people with a knife. Mr. Gonzalez should have been more conscious of the fact that Jesus' mother was killed with a knife. Jesus was traumatized.

Ms. Ibarra states that even now, he continues to have little regard for Jesus' needs, and Mr. Gonzalez lacks maturity when it comes to Jesus' care. Recently he forced horseplay (fight) with Jesus' cousins, and tried to block Ms. Ibarra from seeing with a chair.

Further traumatizing Jesus, Mr. Gonzalez had Ms. Ibarra served with court papers in front of Jesus. The person was rude and disrespectful, demanding to see photo identification or verification of her address. She felt forced to show her PGE bill. Jesus was scared that he was going to be removed from her home.

Ms. Ibarra states she regularly attends church on Sunday afternoons. Jesus enjoys this because that is when his friends go to service too. Mr. Gonzalez refuses to change the visitation schedule so Jesus can attend. Ms. Ibarra would like visits to be Sundays 9-12.

Ms. Ibarra is not opposed to the court ordering Mr. Gonzalez to attend therapeutic visits with Jesus and his counselor. She has attended some sessions, and believes he should also.

Mr. Gonzalez pays only \$128/month child support. Ms. Ibarra pays \$60-70/week in child care. Mr. Gonzalez takes no interest in helping pay for school supplies, uniforms, medical bills, and **refuses to provide her with his insurance card or a letter stating he is not covered. The providers will not accept Medi-Cal because their system shows he has an insurance provider.** Jesus suffers from asthma and this is creating a hardship. Ms. Ibarra cannot afford these bills. All she needs from him is the insurance card.

**Minute Order 9-10-13 states: Ms. Valdivinos is sworn and interprets for Maria Ibarra. Maria Ibarra objects to the petition. Counsel is directed to facilitate counseling between father and child. Matter continued to 10/8/13.**

**Declaration of Jesus N. Gonzalez filed 10/03/2013** disputes the claims of the guardian, Maria Ibarra. Mr. Gonzalez is seeking to increase his visitation with the minor child to include overnight visits in order for him to become more familiar with his family and become a stronger part of their lives. Mr. Rodriguez states that both he and the guardian shared custody of Jesus, the minor child, without a structured agreement and transportation of the child was done by both parties as well as the father's sister. The father states that when the child would visit his family he always had a comfortable place to sleep, not on the floor. He states the child was with him one time while watching movie clips on You-Tube and there were a few clips from the movie "Chucky" as well as other comedies, cartoons and other genres. The father states the child did not seem disturbed by any of the movie clips. Mr. Gonzalez states that the safety of his son is always held in high regards. He says that Jesus is a normal 10 year old who regularly plays with all of his cousins. Mr. Gonzalez states that he has always been and is willing to help with the child's needs. He states he has purchased shoes, clothing and other items outside of the dollar amount taken for child support. He states that the guardian makes it difficult to bring gifts from family members since she is an active Jehovah's Witness and has gotten upset with Mr. Gonzalez's mother for taking a birthday cake to celebrate with the child during one of the visits. Mr. Gonzalez states that he has provided the guardian with a letter for the child's medical coverage.

**SEE ADDITIONAL PAGES**

**Page 4****Mr. Gonzalez' Declaration (Cont'd):**

Attached to the declaration are pictures of the child with the father in response to the allegations that the child does not want to visit with the father.

**Confidential Supplemental Investigator's Report filed 10-1-13 by Court Investigator Jennifer Young.**

**Minute Order 10-8-13:** Ms. Ibarra is being assisted by an interpreter. Mr. Gonzalez informs the Court that he has an appointment with the counselor today. The Court indicates to the parties that it is not changing the visitation time and they are to mutually agree on a location for visitation to take place during the winter months. The Court orders that Jesus and his father participate in conjoint counseling with a licensed clinical therapist for the purpose of facilitating unsupervised visits. In the event that a licensed therapist is not available in Firebaugh, arrangements are to be made elsewhere with a licensed therapist. Ms. Aguilar is ordered to notify the therapist that the Court will be expecting a report as to how conjoint counseling is progressing. Continued to 12/3/13.

**Minute Order 12-3-13:** Counsel informs the Court that father and child are in the process of registering with County Mental Health for an evaluation. Counsel requests a continuance. The Court orders that all orders remain in full force and effect. Matter continued to 3/3/14. The Court will entertain an order shortening time if necessary. Continued to 3-3-14 at 9am in Dept 303. All other orders remain in full force and effect.

**Minute Order 3-10-14:** Matter continued to 4-21-14.

**As of 4-16-14, nothing further has been filed.**

Atty Helon, Marvin T., of Helon &amp; Manfredo (Petitioner)

**Petition for Allowance of Fees to Attorney for Conservatee and Discharge of Attorney; Declaration of Marvin T. Helon in Support of Petition**

<b>Age: 84 years</b>		<p><b>MARVIN T. HELON</b>, Attorney court-appointed on 11/16/2012 to represent the Conservatee, is Petitioner.</p> <p><b>DIANA RODRIGUES</b>, daughter, was appointed Conservator of the Person, and <b>PUBLIC GUARDIAN</b> was appointed Conservator of the Estate on 7/22/2013.</p> <p><b>Petitioner states</b> he was appointed counsel for the Conservatee in connection with the initial petition for appointment of conservator filed by Conservatee's daughter, Diane, and her son, <b>ROBERT W. CHREST</b>, who was unable to secure the required bond; following disputes and disagreements between family members, a subsequent petition for appointment was filed and the Public Guardian was appointed Conservator of the Estate.</p> <p><b>Petitioner requests:</b></p> <ul style="list-style-type: none"> <li>The payment of fees from the conservatorship estate in connection with the representation of the Conservatee for the initial petition and subsequent to appoint a conservator from the period of <b>11/15/2012 through 3/11/2014;</b></li> <li>That he be paid for <b>21.68 hours @ \$285.00 per hour prior to 2/1/2014 and @ \$300.00 per hour beginning 2/2/2014, for a total of \$6,000.00;</b></li> <li>That he be reimbursed the <b>\$435.00</b> filing fee that he is advised must now be paid by court-appointed counsel to file a petition; and</li> <li>That he be discharged as attorney for the Conservatee, as the purposes for which counsel was appointed have been addressed and concluded.</li> </ul> <p>Services are itemized by date and include review of documents, meetings with client and client's family members, telephone calls with client, and court appearances.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need proof of mailed service of the <i>Notice of Hearing</i> for <b>ROBERT W. CHREST</b>, son, per the <i>Request for Special Notice</i> filed on 11/21/2013, pursuant to Probate Code §§ 2640(b) and 1460(b)(4), or waiver of such notice to be filed with the Court.</p>	
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Reviewed by: LEG

Reviewed on:  
4/16/14

Updates:

Recommendation:

File 6 - Chrest

Petition to Determine Validity of Purported Trust Amendment; for an Order Directing Respondent to Return Real and Personal Property; for Double Damages; for Damages for Elder Abuse; for Breach of Fiduciary Duty; for Removal of Trustee; and to Impose Constructive Trust

Richard Dale Fairless DOD: 2-26-13		<b>HEATHER GARRISON, NICOLE ESQUEDA, O.D., and JOSHUA DEAN</b> are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Petitioners are the grandchildren of Decedent <b>RICHARD DALE FAIRLESS</b> (children of his daughter Lee Ann Dean, DOD: 8-27-12) and beneficiaries under the <b>FAIRLESS-TAYLOR REVOCABLE LIVING TRUST OF 2006</b> created by Decedent, a divorced man, and <b>DONNA L. TAYLOR</b> , his longtime live-in girlfriend.	Continued from 3-3-14 (per attorney request)
Cont. from 030314		Petitioners state the 2006 Trust provides that certain real and personal property of the trust estate is the separate property of Decedent and provides that on the death of the surviving settlor, Decedent's separate property shall be distributed in equal shares to his children Lee Ann Dean and Dawn Miller aka Dawn Fitzpatrick. Lee Ann is also the named successor trustee. Lee Ann predeceased the Decedent on 8-27-12; therefore, pursuant to Section 4.07(A)(1) of the 2006 Trust, her children (Petitioners) replace her as remainder beneficiaries, along with Dawn Miller) of the Decedent's separate property.	The following issues remain:
Aff.Sub.Wit.			
✓ Verified		1. It appears this matter should be filed in the civil court and not in this probate court as a trust action, as Petitioners have included causes of action including elder abuse and request findings of undue influence and award including punitive and exemplary damages pursuant to Civil Code §3294.	
Inventory			
PTC		Probate Code §17200 states a trust petition can be filed concerning the internal affairs of a trust or to determine the existence of a trust. This does not include provisions for elder abuse. The allegations in the pleadings are primarily brought under the Welfare and Institutions Code concerning elder abuse.	
Not.Cred.			
✓ Notice of Hrg		<u>If this matter goes forward here, see following pages for technical issues.</u>	
✓ Aff.Mail	w		
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CI Report		File 11 – Fairless-Taylor	
9202 Order	X		
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Petitioners request the Court rescind and nullify the purported amendment on the following grounds:

**SEE ADDITIONAL PAGES**

1. **Lack of Capacity:** Petitioners state in February 2011, approx. five months before Decedent signed the purported amendment, Lee Ann hosted a party for his 80<sup>th</sup> birthday. Petitioners observed at that time that he was confused and did not seem to understand that the party was to celebrate his birthday. In July 2011, the same month Decedent signed the purported amendment, Respondent informed Petitioner Joshua Dean that Decedent would not be present at Joshua's wedding because he would not understand the events and could not handle being at the wedding. Petitioners allege that at the time of execution of the purported amendment, Decedent did not have sufficient mental capacity to understand the nature of his actions, understand and recollect the nature of the situation of his property, or remember and understand his relations to his family members.
2. **Undue Influence:** Petitioners allege the purported amendment was executed as a direct result of undue influence exerted by Respondent over Decedent including: Respondent took control of Decedent's financial affairs for approx. five years before and up to his death. About August 2008, Decedent signed a durable power of attorney which purports to name Respondent as agent. Respondent was a fiduciary of Decedent at this time. During the last two years of his life, Respondent made misrepresentations to Decedent and otherwise manipulated him in his compromised mental state to convince him that his children had not contacted him for many years. Respondent took advantage of Decedent's diminished capacity and surreptitiously arranged for Decedent to sign the purported amendment under the false assertion that his children had not contacted him for several years. She actively procured the purported amendment as part of a pattern of conduct aimed at wrongfully gaining control of Decedent's separate property. Petitioners state they and their mother Lee Ann always enjoyed a close relationship with the decedent. Lee Ann lived in a house on Decedent's property, approx. 100 yards from Decedent's home, and visited frequently, using his pool almost daily in the summer. He likewise routinely used Lee Ann's shop, electricity, and utility vehicle for farming activities. The allegation that Decedent's children had not contacted him for several years is a falsehood concocted by Respondent to explain the change of disposition of his separate property and confers an undue benefit on Respondent and her children. Petitioner provides authority regarding the presumption of undue influence and state Petitioners have alleged sufficient facts to raise the resumption and shift burden of proof to Respondent.
3. **Fraud:** Petitioners allege that by engaging in the acts stated above, Respondent made fraudulent representations that she knew to be false to Decedent to induce him to sign the purported amendment. These acts were done maliciously, oppressively, and with the intent to defraud Decedent and the trust so that punitive and exemplary damages pursuant to Civil Code §3294 should be awarded. The purported amendment is invalid as it was procured by fraud.
4. **Probate Code §850:** Petitioners state the subject assets including real property, stock, and farm equipment were titled either in Decedent's name individually or in his name as trustee of the trust. Petitioners believe Respondent as trustee is in the process of selling Decedent's separate real property and intends to sell his stock, which he co-owned with his deceased brother. Petitioners believe Respondent sold farm equipment and scrap metal from the Caruthers property beginning in March 2013. Petitioners contend the assets should be returned to the Decedent's estate and/or trust as their respective interests appear, together with any other benefits received during Respondent's possession of such assets, plus interest. Petitioner are entitled to recover twice the value of the property taken pursuant to Probate Code §859.

**SEE ADDITIONAL PAGES**

5. **Elder Abuse under W&I Code §15610 et seq.** See petition for details. By wrongful acts, misrepresentations, and omissions set forth previously, Petitioners allege Respondent took, secreted, misappropriated or retained Decedent's separate property and did so to a wrongful use with intent to defraud, etc. Petitioners reference Code of Civil Procedure regarding attachment to be issued for damages and Civil Code §3345(b)(1) regarding the findings.
6. **Breach of fiduciary duty.** Petitioners state Decedent placed his trust in Respondent and relied on her advice and care. As a direct and proximate result, the Decedent and trust suffered damages. These acts were done with the intent to defraud so that punitive and exemplary damages pursuant to Civil Code should be awarded.
7. **Removal under Probate Code §15642.** Petitioners state the foregoing constitute breaches pursuant to Probate Code.
8. **Imposition of Constructive Trust.** Petitioners state Respondent holds title to all assets and income derived therefrom as constructive trustee for the benefit of the persons entitled to distribution of the trust.

**Petitioners pray for an order of this Court:**

1. Finding the purported amendment void due to the mental incapacity of Decedent;
2. Finding the purported amendment void due to the undue influence of Respondent;
3. Finding the purported amendment void due to the fraudulent acts of Respondent;
4. Declaring that Respondent holds the assets of the trust in constructive trust for the trustee of the trust;
5. For removal of Respondent as trustee and appointment of a new trustee per Section 7.01 of the trust;
6. For double damages pursuant to Probate Code §859;
7. For interest provided by law including but not limited to Civil Code §3291;
8. For attorneys' fees and costs pursuant to W&I Code §15610.30;
9. For punitive and exemplary damages against Respondent in a sum sufficient to punish and make an example of Respondent;
10. Declaring that Respondent forfeited her interest in any recovery of any damages and costs awarded under this action in the Decedent's separate property held as part of the trust estate and that her interest shall instead be distributed as though she predeceased execution of the trust without issue;
11. Awarding costs to petitioners; and
12. For such other orders as the Court may deem proper.

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**NEEDS/PROBLEMS/COMMENTS (CONTINUED):** If this matter goes forward here:

2. Petitioner Joshua Dean did not verify the petition.
3. Petitioners state copies of the 2006 trust and 2011 purported amendment, as well as the 2008 durable power of attorney, are attached; however, there are no attachments. Need copies of attachments.
4. A copy of the petition, including attachments, is required to be served on persons entitled to notice (§851). Notice of Hearing indicates a copy of the petition was included in the service; however, if the attachments were missing, continuance for amended service may be necessary.  
Update: Notice and Acknowledgment of Receipt filed 3-4-14 indicates that a copy of the petition was received by Ronald Calhoun, Esq.; however, it is unknown who Mr. Calhoun represents, and this does not appear to indicate services on the persons entitled thereto directly.
5. Upon further review, including attachments, there may be additional issues.



**13 Daisy A. Morales & Xavier A. Morales (GUARD/P) Case No. 14CEPR00317****Atty Morales, Joe Anthony (pro per – paternal uncle/Petitioner)****Atty Hernandez, Linda C. (pro per – paternal aunt/Petitioner)****Atty Rios, Yolanda Chavez (pro per – paternal aunt)****Atty Butler, R. Frank (for Rita M. Day – maternal grandmother/Competing Petitioner)****Petition for Appointment of Temporary Guardianship of the Person**

<b>Age:</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b>  Per Minute Order 4-16-14
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		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 4-16-14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 13 – Morales</b>

**Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 06/03/2003</b>		<p><b>DALE ALLEN CRUTCHFIELD</b>, son, was appointed Executor with full IAEA without bond on 08/26/2003.</p> <p>Letters issued on 08/26/2003.</p> <p>Inventory and Appraisal was filed on 02/03/2004 shows an estate valued at \$309,517.57 consisting of real property.</p> <p>Notice of Status Hearing was mailed to John Garland and Dale Allen Crutchfield on 11/07/2013.</p> <p><b>Former Status Report filed 03/06/2014</b> states on 01/07/2014 Counsel met with the Executor and Ernest Crutchfield regarding the Probate Status Hearing. The Executor advised counsel that he has not lived at the decedent's residence since May 2008 and that he did not receive the Notice of Status Hearing. When counsel asked the Executor if he received counsels previous letters regarding the estate, the Executor acknowledged receipt of counsel's letters prior to May 2008 and stated that he had "no good reason" for failing to respond. The Executor advised counsel that he was "overwhelmed" with the responsibilities of managing the family business, Crutchfield Pest Control, during a very difficult business financial climate and the additional responsibilities of the Executor of his mother's estate. Both the Executor and Ernest advised counsel that business has improved somewhat, and the Executor, with the assistance of Ernest is now prepared to close their mother's estate.</p> <p>The Executor advised counsel that he believes he has most of the estate records stored in his garage and will attempt to locate same prior to the Status Hearing and advise counsel of the results of the search. Both Dale Allen Crutchfield and Ernest Douglas Crutchfield were present with Counsel at the probate hearing on 01/10/2014. The Executor advised counsel that he had not located the estate records as of that date.</p> <p style="text-align: center;"><b><u>Continued on the next page</u></b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need <b>First Account or Petition for Final Distribution</b> or <b>current written status report</b> pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>Cont. from 011014, 031014</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

<b>Reviewed by:</b> LV
<b>Reviewed on:</b> 04/16/2014
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 14 – Crutchfield</b>

On 01/10/2014 the Court continued the Probate Status Hearing to 03/10/2014. Since 01/10/2014 the Executor has searched his garage and his business premises for the estate records and has been successful in locating some of the records, but not all of them. The Executor advised counsel that he delivered some of the estate records, including the estate bank records, to his brother Ernest Crutchfield approximately five years ago. Ernest Crutchfield acknowledges that he received some estate records from the Executor several years ago, but he has not been able to locate same to date. As of this date, both the Executor and Ernest Crutchfield have advised counsel that they are continuing to search for additional estate records. Counsel will provide the Court with an update on the results of the search for estate records by the Executor and Ernest Crutchfield at 03/10/2014 Probate Status Hearing.

Counsel has reviewed the estate records the Executor has located to date, and it is clear that additional documents must be located and reviewed in order to determine what actions must be taken to settle the estate and bring it to a conclusion. The previously prepared Petition for Final Distribution on Waiver of Accounting can be updated after counsel receives and reviews the necessary estate records. If the necessary records are located prior to, or soon after 03/10/2014 Status Hearing, said petition should be completed and filed within approximately 6 weeks.

Atty Pape, Jeffrey B., of Pape &amp; Shewan (for Raheleh Gohari, Trustee)

## Status Hearing Re: Filing of the Bond or Proof of Deposit into a Blocked Account

Age: 56 years		<p><b>RAHELEH GOHARI</b>, daughter and Agent for the Proposed Beneficiary, filed a <i>Petition by Agent Under Power of Attorney for Order to Establish Special Needs Trust</i> on 1/7/2014.</p> <p><b>Minute Order dated 3/24/2014</b> from the hearing on the petition states the Court acknowledges that a house and a car will be purchased. The Court approves the petition subject to counsel obtaining either a bond or blocked account for the remaining balance. The issue regarding any withdrawals is reserved. Matter set for Status Hearing Re filing proof of bond or deposit into blocked account on 4/21/2014.</p> <p><b>Order Authorizing Establishment of Special Needs Trust filed 4/8/2014</b> finds that proceeds of <b>\$163,271.43</b> shall be paid to the Trustee of the Special Needs Trust, and the Trustee shall thereafter deposit the funds in a blocked account within 15 days of receipt of such funds.</p> <p><b>Status Report filed 4/16/2014 states:</b></p> <ul style="list-style-type: none"> <li>The Farshad Gohari Special Needs Trust created pursuant to Order dated 4/8/2014 is established for the specific purpose of receipt, management and disbursement of workers compensation proceeds awarded for the benefit of Farshad Gohari;</li> <li>The Order has been forwarded to counsel for Farshad Gohari for filing in the matter of [workers' compensation case] Claim Number [omitted], so that the workers compensation Court can issue the final order related to the approval of the settlement;</li> <li>Until the order is issued from the workers compensation court, the settlement funds will not be paid;</li> <li>A new status conference is requested to be set no less than <b>45 days</b> from the present to allow the workers compensation order to be issued and the funds to be paid.</li> </ul>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
✓ Aff.Mail	W/		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
✓ Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 4/16/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 16 – Gohari</b>	

Atty Garcia, Rosario (Pro Per – Mother – Petitioner)  
 Atty Alvarez-Garcia, Maria (Pro Per – Maternal Grandmother – Guardian)  
 Atty Garcia, Alfredo (Pro Per – Maternal Grandfather – Guardian)

**Petition for Visitation**

<b>Angelina, age 6</b>	<b>ROSARIO GARCIA</b> , Mother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Kaylynn, age 4</b>		
<b>Cont. from 111913, 031914</b>	<b>MARIA ALVAREZ-GARCIA and ALFREDO GARCIA</b> , Maternal Grandparents, were appointed guardians on 8-30-11 ( <i>Personally served 10-15-13</i> )	<u>Continued from 11-19-13, 3-19-14</u>
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Father: <b>KEVIN LENARD</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	<b>Petitioner states</b> she would like to be able to see her kids three times a week or to have overnight weekend visits.	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Minute Order 11-19-13 (Judge Cardoza):</b> Parties are sworn at the direction of the Court. Parties are advised that the Court is not going to change visitation at this time. The Court orders that mother not have any visitation with the children. The Court further orders that mother not have any direct or indirect contact with the children. Mother is ordered to continue participating in Westcare and to bring proof of her drug testing from Probation to the next hearing. Continued to 3-19-14.	
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>	<b>Minute Order 3-19-14 (Judge Oliver):</b> The guardians object to the petition. Proof of mother's participation in several programs is shown to the court. The court investigator is ordered to contact all the parties. Mother is ordered to sign the necessary releases and waivers to allow the court investigator to obtain any and all information regarding her participation and treatment at Westcare. Visitation pending the next hearing is ordered as follows: mother shall be allowed to visit with the children in a supervised setting every week for two hours. Parties are ordered to participate in mediation today at 1:30 p.m. for the purpose of determining how, when, and where these visits will take place. Parties are ordered not to speak ill of one another around the children, or make any promises to them regarding this matter. The Court notes for the minute order that it spent 40 minutes addressing this matter. Continued to 4-21-14.	
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		<b>Reviewed by:</b> skc
<input type="checkbox"/> <b>Status Rpt</b>		<b>Reviewed on:</b> 4-16-14
<input type="checkbox"/> <b>UCCJEA</b>		<b>Updates:</b>
<input type="checkbox"/> <b>Citation</b>		<b>Recommendation:</b>
<input type="checkbox"/> <b>FTB Notice</b>	<b>A Probate Mediation Agreement was filed on 3-19-14 indicating visitation arrangements and a mediation check-in date of 4-14-14. (Note: Nothing further has been filed regarding mediation.)</b>  <b>Court Investigator Julie Negrete filed a Supplemental Report on 4-15-14.</b>	<b>File 17 – Delgado &amp; Lenard</b>